

CITY OF NEVADA CITY

MEMORANDUM

TO: Honorable City Council

FROM: Gene Albaugh, City Manager

DATE: January 13, 2010

SUBJECT: CABY – Cosumnes American Bear and Yuba Portal

RECOMMENDATION: Following the presentation by Katie Burdick, Executive Director to the CABY, provide direction to staff.

Background: The CABY comprises four watersheds—the Cosumnes, American, Bear and Yuba—which combine to form a major drainage area on the western slope of the Sierra Nevada range, from mountain crest to the Central Valley. The collective streams, rivers, lakes and reservoirs of these watersheds flow into the Sacramento River and are a major source of fresh water for the state of California.

City staff has met with CABY to discuss grant funding and water conservation educational possibilities. CABY is a collaborative planning effort that adopted an Integrated Regional Water Management Plan (IRWMP), in response to passage of Proposition 50. CABY comprises more than 30 organizations, representing water supply, conservation, recreation, agriculture, and community interests, as well as federal and local government.

CABY functions as a vehicle to bring funding into the region. Their efforts might lead to funding that could reduce the amounts needed to make capital improvements at the aging city water facility. A representative will attend the January 13, 2010 meeting to discuss their efforts to assist the City.

Fiscal Impact: None

RESOLUTION NO. 2010-XX

A RESOLUTION OF THE CITY COUNCIL OF NEVADA CITY ENDORISING AND ADOPTING THE COSUMNES-AMERICAN-BEAR-YUBA RIVERS INTEGRATED REGIONAL WATER MANAGEMENT PLAN (IRWMP)

WHEREAS, population growth in the State of California will continue to pressure water resources and balancing the needs of urban, agricultural, environmental, and recreational water supplies will be a challenge for all involved in water management; and

WHEREAS, the Cosumnes-American-Bear-Yuba Rivers (CABY) planning region consists of the foothill and upper watershed of the Cosumnes, American, Bear, and Yuba Rivers; and

WHEREAS, the CABY Planning Committee's diverse group of public agencies, water providers, agriculture, business, residential users, community recreation, and environmental organizations and tribal interests have jointly developed this Integrated Regional Water Management Plan (IRWMP); and

WHEREAS, the IRWMP serves as a voluntary planning document that identifies a broadly supported vision, guiding principles, goals, and objectives, and projects to enhance the beneficial uses of water for the CABY region; and

WHEREAS, this collaborative planning effort is intended to formulate water management strategies for the region and priorities projects that address watershed and regional issues, coordinate with other IRWMPs, address local, state, and federal plans' priorities, achieve multiple benefits, encompass more than one watershed, and meet short and long term water resource needs; and

WHEREAS, CABY Planning Committee members are formulating a cooperative governance structure necessary to implement the IRWMP that is favorable to all local governments, water suppliers, business groups, environmentalists, agriculture, recreation, and citizens; and

WHEREAS, an integrated regional approach to water management will streamline individual efforts and increase efficiencies, the CABY IRWMP will also increase partnership, collaboration, and organizational capacity. Collaborative management will provide a forum for stakeholder input and support for projects that address the common goals and objectives for the CABY region; and

WHEREAS, this regional planning effort will improve regional competitiveness for grant funding for projects and efforts to implement the IRWMP and achieve agency or organizational goals; and

WHEREAS, participants in the City of Nevada City have engaged in the CABY process, have attended CABY Planning Committee meetings, have met with CABY staff to develop projects for inclusion in the IRWMP and have a genuine interest in working with CABY to advance their own as well as regional goals and objective and have reported on issues discussed to the City Council of Nevada City; and

WHEREAS, the IRWMP has been finalized in accordance with the Department of Water Resources Proposition 50 Guidelines; and

WHEREAS, the IRWMP is not a legally binding document, but will serve as a regional compact with commitments to work together as a region to implement the Plan; and

WHEREAS, the IRWMP references many plans, however the entities that adopt the IRWMP do not necessarily endorse all the plans that are referenced; and

WHEREAS, the IRWMP will be a living document, reviewed, and updated over time, individual signatories can remain involved or terminate their involvement at any time.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Nevada City hereby adopts the CABY IRWMP as a complete, voluntary document that provides broadly supported identified goals objectives, strategies, and projects to meet the integrated water needs of people and the rivers of the CABY region now and into the future.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Nevada City on the 24th day of February, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Reinette Senum, Mayor

ATTEST:

Niel Locke, City Clerk

ORDINANCE NO. 2010-02

AN ORDINANCE OF THE CITY OF NEVADA CITY AMENDING AND ADDING TO CHAPTER 5.20 OF THE NEVADA CITY MUNICIPAL CODE TO AUTHORIZE ADMINISTRATIVE APPROVAL FOR NON-EXCLUSIVE OPERATION OF TAXICABS IN CITY

WHEREAS, the Nevada City Municipal Code already regulates the operation of taxicabs and taxicab stands within the City in Chapter 5.20; and

WHEREAS, those provisions appear to require city council authorization for both a non-exclusive license to operate taxicabs and use taxicab stands and an exclusive franchise to operate taxicabs and taxicab stands within the City; and

WHEREAS, the City desires to create an administrative process for authorizing non-exclusive rights to operate taxicabs within the City without compromising public safety concerns:

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Nevada City as follows:

SECTION I:

Section 5.20.020 General license and franchise requirements of Chapter 5.20 is amended to read as follows:

It is unlawful for any person to use or operate taxicabs or taxicab stands within the city without an authorization from the city *pursuant to this chapter.*

A. *Upon verification of compliance with the requirements of this chapter, the chief of police may administratively authorize use or operation of taxicabs or taxicab stands within the city on a non-exclusive basis, subject to payment of processing and license fees prescribed by ordinance or resolution of the council. Such authorization shall be for a period not to exceed one year, renewable annually.*

B. The city council may, at its discretion, grant a franchise to any person, or persons, for the exclusive right to operate taxicabs and taxicab stands with such rules and regulations as the council may, from time to time, prescribe by resolution.

SECTION II;

Section 5.20.030 Franchise application -- Insurance of Chapter 8.24 is amended to be captioned "**Applications – Insurance**" and to read as follows:

A. All applications for authorization to use or operate taxicabs or taxicab stands within the city on an exclusive or non-exclusive basis *and for renewal thereof* shall contain the following information *which shall be subject to verification before authorization can be granted or renewed*:

1. The name, address, *and telephone number* of the applicant and Owner;

2. The number *and license plate numbers* of all taxicabs to be operated within the city;

3. The nature and amount of liability insurance on each taxicab. Said liability insurance shall be in the amount of *at least* one million dollars (\$1,000,000.00), single limit per occurrence issued by a good and responsible company qualified to do and doing business in the State of California rated overall an "A-" and X, or better, in the most recent edition of Best's Insurance Reports, which shall operate as primary insurance.

B. Proof of insurance shall be filed with the application and such insurance shall not be cancelled or modified without ten (10) days' written notice to the *chief of police* prior to the date such cancellation or modification becomes effective.

C. *The information provided on the application shall be updated and kept current if changes occur before or after authorization is granted.*

SECTION III;

Subsection B of **Section 5.20.040 Driver requirements** is amended to read as follows:

B. The Owner granted authorization to use and operate taxicabs and taxicab stands *within the city* shall file an affidavit with the chief of police as to each and every driver in his employ *demonstrating that they meet the driver requirements herein, providing names, addresses, driver's license numbers, and such information as may be reasonably necessary to verify the information therein, keeping it current when changes are made.* The chief of police, if satisfied that all of the foregoing requirements have been met by such affidavit, shall fingerprint each such driver and file the record in the office of the police department. *In the discretion of the chief of police, some or all of these requirements may be satisfied by reliance upon records on file with other law enforcement agencies or other cities.*

SECTION IV;

The caption of **Section 5.20.050 Inspection authority – Authority to revoke franchise** is amended to read as follows:

Section 5.20.050 Inspection authority – Authority to revoke authorization.

SECTION V;

This Ordinance shall become effective 30 days after the adoption date thereof and within 15 days of the passage of this Ordinance, the city Clerk shall publish this Ordinance, or a summary thereof, in The Union, a newspaper of general circulation.

PASSED AND ADOPTED this ____ day of _____, 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Reinette Senum, Mayor

ATTEST: _____
Niel Locke, City Clerk

